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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
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8 THE BANK OF NEW YORK MELLON,)

Case No. 2:17-cv-02006-RFB-GWF

9 Plaintiff,)

10 vs.)

ORDER

11 WASHINGTON & SANDHILL HOMEOWNERS)
12 ASSOCIATION, *et al.*,)

13 Defendants.)

14 This matter is before the Court on Plaintiff's Motion for Service by Publication and
15 Enlarging Time for Service of Process (ECF No. 22), filed on October 25, 2017.

16 Pursuant to Fed. R. Civ. P. 4(e), the state statutes in which the District Court is held are
17 followed in matters pertaining to service of summons by publication. N.R.C.P. 4(e)(1)(i) states that
18 the court may permit service by publication if, after due diligence shown, the plaintiff is unable to
19 find the defendant(s) within the state, or they are avoiding the service of summons. The plaintiff
20 must prove this to the satisfaction of the court either by affidavit or by a verified complaint. The
21 Nevada Supreme Court has held that there is no objective, formulaic standard for determining what
22 is, or is not, due diligence. *Abreu v. Gilmer*, 985 P.2d 746, 749 (1999). Pursuant to Fed. R. Civ. P.
23 6(b) and LR 26-4, extensions of time may be granted for good cause shown.

24 Plaintiff requests permission to serve Defendant CSC Acquisition & Holding Group LLC by
25 publication. Plaintiff represents that it demonstrated due diligence by making several attempts to
26 serve Defendant. The Court, therefore, finds that Plaintiff has provided sufficient good cause to
27 warrant service by publication and will grant Plaintiff until **December 30, 2017** to effectuate
28 service. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Service by Publication and Enlarging Time for Service of Process (ECF No. 22) is **granted**. Plaintiff shall have until **December 30, 2017** to effectuate service on Defendant CSC Acquisition & Holding Group LLC. Defendant may be served through publication of the summons and Complaint in this case at least once a week for four (4) consecutive weeks in a newspaper of general circulation.

DATED this 30th day of October, 2017.


GEORGE FOLEY, JR.
United States Magistrate Judge